



Conservation and Water Stewardship

Environmental Stewardship Division
Environmental Approvals Branch
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File: 5124.00

December 29, 2015

Jim Buys
Chief Administrative Officer
Town of Niverville
PO Box 267
Niverville MB R0A 1E0

Dear Mr. Buys:

Re: Request for Alteration – Town of Niverville Wastewater Treatment Lagoon

I am responding to your October 27, 2015 letter and attachment regarding a request for alteration to requirements relative to decommissioning the Town of Niverville's old wastewater treatment lagoon located on SW 30-7-4 EPM in the Town of Niverville. This wastewater treatment lagoon was licenced under Environment Act Licence No. 737 while Environment Act Licence No. 2712 relates to the Town's new lagoon and contains requirements pertaining to the decommissioning of the old lagoon.

In my September 21, 2011 letter to the Town, approval to undertake proposed lagoon decommissioning activities was provided pursuant to Section 14(2) of *The Environment Act*. Your most recent letter and attachment provide new information regarding ongoing assessments and proposed new site adjustments relating to the decommissioning of the cells of the old lagoon. Research involving contaminant reduction in lagoon sludge through a wetland system and phytoremediation has been ongoing.

The October 27, 2015 letter and attachment requests that the south-most portion of what once was the secondary cell of the old lagoon (the dry cell) be removed from any restrictions of either of the above noted Environment Act Licences while research activities be allowed to continue in the areas of the old lagoon that once served as the primary cell and the remainder of what once was the secondary cell. Figure 1 of the attachment to your letter identifies the proposed dry cell as well as the remaining areas of the old lagoon that would be comprised of the proposed control, holding, and wetland cells. Figure 3 of the attachment to your letter identifies approximate proposed locations of fences that would separate the control, holding, and wetland cells area from the dry cell area as well as a fence that would encompass the entire site of the old lagoon. It is understood that, since the initial related work at old lagoon commenced, most of the sludge that existed in the area of the proposed dry cell had been transferred into the wetland cell.

Related inspections involving sampling and analyses regarding concentrations of trace elements and nutrients of soil materials from the dry cell area indicate that no potential environmental or public health risks associated the previous operation of a wastewater treatment lagoon cell exist in the dry cell area. Table 8 of the attachment summarizes the related information. It can be concluded that the dry cell area as shown on Figure 1 of the attachment has been satisfactorily decommissioned.

Upon review of the request, pursuant to Section 14(2) of *The Environment Act*, I have decided to approve the proposed activities pursuant to the following conditions:

1. Clauses 38, 39 and 40 of Environment Act Licence No. 2712 are not required to be acted on by the Town at this time but remain enforceable for the control, holding, and wetland cells as identified on Figure 1 of the attachment;
2. As indicated, a fence around the site of the old lagoon to limit access must be installed and maintained. The fence shall be a minimum of 1.2 meters high and have a locking gate;
3. As indicated, a fence around the site of the control, holding, and wetland cells as identified on Figure 1 of the attachment to limit access must be installed and maintained. The fence shall be a minimum of 1.8 meters high, be effective at minimizing access to these cells to the satisfaction of the assigned Environment Officer, and have a locking gate which shall be locked at all times except to allow temporary access to these cells.
4. Discharge of water from the control, holding, and wetland cells as identified on Figure 1 of the attachment shall only be via delivery to the Town of Niverville's new lagoon or to another wastewater treatment facility operating under a Licence issued pursuant to *The Environment Act*;
5. Sludge solids shall not be removed from the control, holding, and wetland cells as identified on Figure 1 of the attachment unless otherwise authorized by an Environment Officer;
6. Annual reports of the previous year's related activities shall be submitted to the Environmental Approvals Branch, Manitoba Conservation and Water Stewardship by January 31st of the following year; and
7. This approval shall be revisited not later than five years after the date of this letter.

If you have any questions or would like to discuss the foregoing, please contact Robert Boswick, Environmental Engineer, at 204-945-6030.

Yours sincerely,

"original signed by"

Tracey Braun, M.Sc.
Director
Environment Act

- c. Lisette Ross, Senior Wetland/Upland Specialist - Native Plant Solutions, DU Canada
Don Labossiere/Donna Smiley/Diane Oertel - Environmental Compliance and Enforcement Branch
Public Registries